



MINUTES OF THE CITY OF MIRAMAR PLANNING AND ZONING BOARD MEETING

OCTOBER 8, 2024

6:30 P.M.

A meeting of the Planning & Zoning (P&Z) Board was called to order by Chairperson Thompson on Tuesday, October 8, 2024, at 6:35 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

I. ROLL CALL

The following members of the Planning & Zoning Board were present:

Matthew Thompson, Chairperson
Hobel Florido
James Hepburn
Wayne Lomax
Mary Lou Tighe
Annette Payne
Vivian Walters, Jr.

The following members of the Planning & Zoning Board were absent:

Marcus Dixon, Vice Chairperson (Excused)
Anneline Carter (Excused)

A quorum was achieved.

The following City staff members attended:

Building, Planning & Zoning Dept. (BPZ) Director Nixon Lebrun
City Attorney Pam Booker
Senior Planner Frensky Magny

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

- **Regular Meeting Minutes of September 10, 2024**

Chairperson Thompson asked for a motion to approve the September 10, 2024, minutes, as presented; Member Lomax made a motion to approve, seconded by Member Tighe; the following vote was recorded:

AYE: Chairperson Thompson, Members Florido, Hepburn, Lomax, Payne, Tighe and Walters

NO: None

ABSENT FOR VOTE: Vice Chairperson Dixon, and Member Carter

MOTION PASSED: 7-0

IV. QUASI-JUDICIAL PUBLIC HEARING:

City Attorney Booker reviewed the City's quasi-judicial procedures, collectively swearing in all persons wishing to speak on agenda item IV. (1).

- (1) Application No. 2400961 for a Conditional Use approval for a garage expansion of an existing office building to be utilized as an ancillary vehicle and equipment storage space. The subject property is located within the Transit Oriented Corridor (TOC) land use in the Mixed-Use Low zoning district at 6110 Pembroke Road.

Presenter: Frensky Magny, Senior Planner

Senior Planner Frensky Magny presented the subject application, as detailed in the backup, highlighting the following:

- The property was located just west of 441 along Pembroke Road
- The site was purchased and developed in the 1970s; an approximately 2,400-square-foot structure built on the 13,000-square-foot lot; the structure that remained along the eastern property line was a legal, nonconforming structure
- In 1989 Pembroke Road underwent expansions that led to the subject lot being reduced along its northern boundary, decreasing the property's buildable area
- The location of the proposed expansion was to the rear; the required minimum setback was five feet where the nonconforming structure sat, and the applicant wished to expand the structure along the eastern property line
- As this was a nonconforming structure, not a nonconforming use; the use was permitted by right, operating as professional offices; staff believed the proposed expansion was consistent with the City's Comprehensive Plan; it would not be detrimental, or endanger public health, safety, aesthetics, or general welfare, as the structure remained within the site's boundaries; it was consistent with the existing natural environment, and the community character of the immediate neighborhood

- Staff believed the site area was sufficient, appropriate, and adequate for the proposed expansion
- Staff conditions included: installation of a solid PVC fence along the southern perimeter of the property, minimum six feet in height; landscaped hedging along the entirety of the southern and western property lines; landscape materials must be approved by BPZ staff; with the northern borders of the existing building, landscape materials should be replanted along the pedestrian walkway to meet the intent of the TOC, as approved by the BPZ
- City Manager recommended approval with conditions
- A community meeting was held on October 7, 2024; the meeting was noticed to property owners within 1,000 feet of the subject site.

Member Florido sought clarification on the recommended PVC fence.

Mr. Magny explained the fence recommendation arose from discussions between the applicant's team and staff when the conceptals of the plans were submitted; some of the conversation pertained to placing a buffer along the southern boundary where the applicant's property abutted residential property. There was an existing dilapidated fence in that area, so staff took the opportunity to enhance the fencing along the southern and western borders, which the City was unable to do by right according to code through just the site plan process.

Member Florido asked about the garage at the back of the property, just south of the star, wondering if it would be visible from the street.

Mr. Magny said the garage was attached to the existing building south of the star; the intent of the fence was the garage would not be visible from the street.

Member Walters sought clarification on when public notices were issued, and how many people attended the community meeting.

Mr. Magny replied the public notice was issued 14 days prior to the date of the community meeting; no members of the public attended; the location of the meeting was at City Hall; the notice was sent through mailed notice, as well as posting a sign at the site.

Member Walters wished to know the proximity of the residential property to the subject site.

Mr. Magny said the building was located along Pembroke Road, and from on a radius perspective much of the affected area fell in the City of Hollywood. From the southern border, staff observed about two dozen residences in the 1,000-foot radius; there were nonresidential properties to the rear, as well as several apartment complexes.

Chairperson Thompson opened the discussion to the public; he received no input.

Chairperson Thompson asked for a motion to approve Application No. 2400961 with conditions as presented, with a recommendation of approval to the City

Commission, and with the finding that the subject application was consistent with the City's Comprehensive Plan. Member Tighe made a motion to approve; seconded by Hobel Florido; the following vote was recorded:

AYE: Chairperson Thompson, Members Florido, Hepburn, Lomax, Payne, Tighe and Walters

NO: None

ABSENT FOR VOTE: Vice Chairperson Dixon, and Member Carter

MOTION PASSED: 7-0

V. OTHER BUSINESS

BPZ Director Nixon Lebrun mentioned at the last P&Z Board meeting he was to make a presentation on re-occupancy certificate; as the matter was not placed on the present meeting agenda, added to which was the approaching storm, he would do the presentation at the board's next meeting. The City recently hired a consultant to update the City's Comprehensive Plan, for which a steering committee would be created. He would be asking board members for their feedback, as they went through the updating process; staff had until May 9, 2025, to submit the amendments to the State. Statutorily, part of the board's mandate was to recommend amendments to the City's Comprehensive Plan, so the board would be very involved in the process.

Member Walters questioned if community input would be sought during the process of updating the Comprehensive Plan.

Mr. Lebrun answered absolutely, as the plan was for the community; the amendments were to set the vision for the City for the next 10 to 20 years against the backdrop of changes happening at the state level, and local conditions; community visioning sessions would be held in the east, central, and west areas of Miramar. He said the aim was to devise goals, objectives, and policies to improve the City as a whole, keeping in focus each distinct neighborhood in Miramar.

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Chairperson Thompson asked for a motion to approve the excused absence of Vice Chairperson Dixon. Member Tighe made a motion to approve; seconded by Member Lomax; the following vote was recorded:

AYE: Chairperson Thompson, Members Florido, Hepburn, Lomax, Payne, Tighe and Walters

NO: None

ABSENT FOR VOTE: Vice Chairperson Dixon, and Member Carter

MOTION PASSED: 7-0

Chairperson Thompson asked for a motion to approve the excused absence of Member Carter. Member Tighe made a motion to approve; seconded by Member Walters; the following vote was recorded:

AYE: Chairperson Thompson, Members Florido, Hepburn, Lomax, Payne, Tighe and Walters

NO: None

ABSENT FOR VOTE: Vice Chairperson Dixon, and Member Carter

MOTION PASSED: 7-0

Member Walters restated his wish for the City to explore ways to better engage the community for any of its events, activities, meetings, etc.; specifically, to make the community more aware of the scope of services the City offered. He felt the Miramar community needed as many opportunities and options as possible to attend meetings, or give feedback as it related to changes in their community. During the COVID-19 pandemic, meetings were conducted via Zoom, and other virtual platforms, asking if the City provided any online accommodations for the public to give their feedback to city staff on any matter of concern, particularly with regard to construction projects in their neighborhood. He recalled at the meeting before the one held on September 10th, there was board discussion on the matter, and as he missed the September meeting, he was unsure if there was any subsequent discussion on the matter. Despite the City adhering to city and state public noticing regulations, repeatedly few, if any, residents attended community meetings, so little to no public input was included in many City decisions.

Chairperson Thompson questioned the time community meetings were scheduled.

Mr. Magny replied, typically, they were scheduled for 6:30 p.m. or 7:00 p.m., depending on the day of the week, and the time staff anticipated attendees getting to the site.

Chairperson Thompson agreed staff was doing the best they can with the noticing radius; and in many cases people did not check their mail thoroughly, so city staff could explore with administration other means by which to expand noticing methods to engage with residents on what was taking place in their area; this could include text alerts.

Mr. Magny affirmed staff was working with Marketing staff on improving public noticing, as well as revisiting the City's policies and procedures, including noticing, and those would be brought before the board throughout fiscal year (FY) 2025. He said the City was moving to a new software system for applications, so staff hoped to realize additional

noticing opportunities that included the hiring of additional staff in the next few months.

Mr. Walters commented that he was stressing the engagement of the public's participation, improving ways in which residents and business owners could attend city meetings virtually, such as by Zoom, or other meeting platforms. He commended staff for doing a great job, as their efforts were greatly appreciated.

Chairperson Thompson wished to know what the pre-COVID attendance was at community meetings.

Mr. Magny stated the response varied; typically, for most P&Z applications, in working for the City for the past ten years, it depended on how the community viewed an application. Applications that dealt with residential developments, particularly those proposing a high number of units, usually attracted more public participation depending on the location of the site; for other applications, public attendance was typically lower or nonexistent.

Mr. Hepburn mentioned when he served on the Historic Miramar Advisory Board (HMAB) for two years, and as president of the Tropical Homes community organization, depending on the issue of concern, he shared information from the HMAB meetings with residents who attended their community association meetings; he had many residents' email addresses, since he was their contact with the City. He believed the disconnect with Historic Miramar residents was that they had difficulty fighting traffic to get to City Hall for a community meeting, so for changes taking place in east Miramar, it might be better to hold meetings closer to the residents, such as at Miramar's Multi-Service Complex. Their community meetings had a better turnout when members of the Commission were invited to meetings; sometimes, Commission meetings often went on for many hours, and residents preferred not to wait hours for an item of concern to be discussed.

Chairperson Thompson concurred; for applications affecting a particular residential property, residents were unlikely to attend a P&Z Board meeting unless the proposed change might adversely affect their property value.

Member Walters reiterated the onus was on the City to provide as many options as possible for residents to give input; whether anyone availed themselves of the options was up to the public. He asked when was the last time the City updated the Comprehensive Plan.

Mr. Magny replied in 2010.

Chairperson Thompson agreed with the City providing as many opportunities as possible for the public to give feedback, as he knew the public notices worked, as the public chose which meetings they wanted attend; usually it was issues that affected their quality of life.

Mr. Lebrun agreed with the board's comments, and engaging the community in the process of updating the Comprehensive Plan for their input, and buy in was staff's ultimate goal. His staff and he would work with IT staff to explore noticing and meeting attendance options.

Chairperson Thompson questioned if there was any obstacle to providing a Webex link to

attend community meetings held by the City and/or developers.

Mr. Lebrun believed there was no obstacle; his staff and he would work on that with IT staff. He added that when a community meetings pertained to development projects, staff sought to hold meetings at venues located closer to affected property owners.

Member Lomax asked if members of the public attended a meeting, such as a P&Z Board meeting, on a digital platform, did the City have in place any guidelines, limitations, etc. for their participation, such as if they had to be sworn in, how their input could be given, etc.

City Attorney Booker thought there should be no issues with members of the public attending virtually to speak on any matter, though attending virtually was not preferred for applicants. During the pandemic, whenever members of the public attended meetings virtually, they were able to voice their concerns after they stated their name and address, so their comments could be placed on the record. She said, today, it would be up to the City's IT staff how this information would be captured, and in light of the board's comments on the City's need to expand methods by which the public conveyed their concerns, comments, etc. to the City, staff could take those concerns back to City management to work on incorporating public noticing recommendations in the updated Comprehensive Plan.

Member Lomax asked if there was any impediment to immediately making virtual attendance at community meetings available to the public.

Mr. Lebrun restated there was no impediment; after the pandemic receded, so did virtual attendance, though virtual attendance at Commission meetings was still available to the public. He would speak with IT about extending that possibility to community meetings, as long as the meeting location allowed for the possibility of virtual attendance.

VI. ADJOURNMENT

The next meeting: February 11, 2025, at 6:30 p.m.

The meeting was adjourned at 7:25 p.m.



Matthew Thompson, Chairperson
MT/cp